

FEDERAL COMMUNICATIONS COMMISSION

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**MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS:** (202) 418-2730
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JUL 30 2009

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Re: Mortenson Broadcasting Company
KHAVN(AM), Fort Worth, TX
Facility Identification Number: 63780
File Number: BMJP-20041029AHB
Petition to Dismiss

Dear Counsel:

This letter refers to: (i) the above-captioned major change application filed by Mortenson Broadcasting Company ("Mortenson") proposing to change the community of license of station KHAVN(AM) from Fort Worth, Texas to Bedford, Texas.¹ (ii) the December 20, 2004, Petition to Dismiss ("Petition") filed by DFW Radio License, LLC ("DFW"), licensee of station KFCD(AM), Farmersville, Texas; (iii) the related pleadings; (iv) our July 22, 2005, letter denying Mortenson's waiver request of section 73.182(g), and requesting Mortenson to amend the application; and (v) the Mortenson November 25, 2005, amendment. We will not address issues raised in the DFW Petition, and will request Mortenson to amend the application.

A preliminary engineering review of the November 25, 2005, amendment reveals that the KHAVN(AM) measurements on the 330° and 350° radials and the KFCD(AM) measurements on the 230°, 250°, and 270° radials are unacceptable. Specifically, there are an insufficient number of close-in non-directional measurements within 3 kilometers as required by Section 73.186. Without the close-in measurements, the inverse distance fields and ground conductivities cannot be properly determined, and we have to rely on the FCC M3 conductivities. Based on the M3 ground conductivities we find that the proposed daytime 5 mV/m groundwave contour overlaps the 5 mV/m contour of second-adjacent channel station KFCD(AM), Farmersville, Texas, in violation of Section

¹ The application is a "singleton" being studied pursuant to a Commission Public Notice listing non-mutually exclusive applications in AM Auction No. 84.

73.37(a) of the Commission's rules.

Accordingly, further action on the application will be withheld for a period of thirty days (30) from the date of this letter to file a curative amendment to resolve this problem. Failure to amend or respond with a request for additional time will result in the dismissal of the application pursuant to Section 73.3568 of the Commission's rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Son Nguyen", written in a cursive style.

Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: Alan E. Gearing
Mortenson Broadcasting Company
Richard R. Zaragoza, Esq.